

AN ORDINANCE TO RECODIFY AN ORDINANCE ENTITLED: "AN ORDINANCE TO DIVIDE THE AREA OF THE CITY OF HAMPTON INTO DISTRICTS TO ESTABLISH BUILDING LINES, TO REGULATE AND RESTRICT THE LOCATION, ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR OR USE OF BUILDINGS AND OTHER STRUCTURES, THEIR HEIGHT, AREA AND BULK, AND PERCENTAGE OF LOT TO BE OCCUPIED BY BUILDINGS OR OTHER STRUCTURES, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, AND THE TRADE, INDUSTRY, RESIDENCE, AIRCRAFT APPROACH AND OTHER SPECIFIC USES OF THE PREMISES IN SUCH DISTRICTS. FOR THE PROMOTION OF HEALTH, SAFETY, MORALS, COMFORT, PROSPERITY AND GENERAL WELFARE OF THE GENERAL PUBLIC AND OF THE CITY OF HAMPTON, TO PROVIDE FOR THE CHANGE OF BOUNDARIES, REGULATIONS AND RESTRICTIONS IN SUCH DISTRICTS; TO PROVIDE FOR NON-CONFORMING USES; TO PROVIDE SETBACKS; TO PROVIDE FOR OFF-STREET PARKING AND LOADING FACILITIES FOR MOTOR VEHICLES; TO PROMOTE CONFORMITY; TO PROVIDE FOR THE INTERPRETATION AND ENFORCEMENT OF THE ORDINANCE AND FOR AMENDMENTS THERETO; TO PRESCRIBE PENALTIES FOR VIOLATION OF THE PROVISIONS THEREOF; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH, WITH CERTAIN EXCEPTIONS FOR THE PURPOSE OF RENUMBERING OR REARRANGING SECTIONS, ARTICLES, OR OTHER DIVISIONS AND MAKING CHANGES NOT OF A SUBSTANTIVE NATURE.

WHEREAS, the Council of the City of Hampton, Virginia, is authorized pursuant to Section 15.1-37.3 of the Code of Virginia, 1950, as amended, to codify or recodify its ordinances relating to zoning; and

WHEREAS, it is the purpose and intent of this Ordinance to recodify the "Zoning Ordinance of the City of Hampton, 1960" and to rearrange, renumber and make certain changes NOT of a substantive nature.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hampton, Virginia, that the Zoning Ordinance of the City of Hampton, 1960 be recodified to read as follows:

AN ORDINANCE TO DIVIDE THE AREA OF THE CITY OF HAMPTON INTO DISTRICTS: TO ESTABLISH BUILDING LINES; TO REGULATE AND RESTRICT THE LOCATION, ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR OR USE OF BUILDINGS AND OTHER STRUCTURES, THEIR HEIGHT, AREA AND BULK AND PERCENTAGE OF LOT TO BE OCCUPIED BY BUILDINGS OR OTHER STRUCTURES, THE SIZE OF YARDS, COURTS AND OTHER OPEN

SPACES, AND THE TRADE, INDUSTRY, RESIDENCE, AIRCRAFT APPROACH AND OTHER SPECIFIC USES OF THE PREMISES IN SUCH DISTRICTS; FOR THE PROMOTION OF HEALTH, SAFETY, MORALS, COMFORT, PROSPERITY AND GENERAL WELFARE OF THE GENERAL PUBLIC AND OF THE CITY OF HAMPTON; TO PROVIDE FOR THE CHANGE OF BOUNDARIES, REGULATIONS AND RESTRICTIONS IN SUCH DISTRICTS; TO PROVIDE FOR NON-CONFORMING USES; TO PROVIDE SETBACKS; TO PROVIDE FOR OFF-STREET PARKING AND LOADING FACILITIES FOR MOTOR VEHICLES; TO PROMOTE CONFORMITY; TO PROVIDE FOR THE INTERPRETATION AND ENFORCEMENT OF THE ORDINANCE AND FOR AMENDMENTS THERETO; TO PRESCRIBE PENALTIES FOR VIOLATION OF THE PROVISIONS THEREOF; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH, WITH CERTAIN EXCEPTIONS.

WHEREAS, by the authority given in Title 15.1, Chapter 11, Article 8, Code of Virginia, 1950, as amended, for the promotion of the health, safety, morals, comfort, prosperity, or general welfare of the public, the Council of the City of Hampton is authorized by ordinance to divide the City of Hampton into districts of such number, shape, and area as it may deem best suited to carry out the purposes of this article; and in each district regulate, restrict, permit, prohibit and determine the following:

- (a) The use of land, buildings and structures, and other premises for agricultural, commercial, industrial, residential, and other specific uses;
- (b) The size, height, area, bulk, location, erection, construction, reconstruction, alteration, repair, maintenance, razing, or removal of structures;
- (c) The areas and dimensions of land, water, and air space to be occupied by buildings, structures and uses, and of courts, yards, and other open spaces to be left unoccupied by uses and structures, including variations in the sizes of lots based on whether a public or community water supply or

sewer system is available and used;

(d) The excavation or mining of soil or other  
natural resources;

- (e) 1. To provide for adequate light, air,  
fire, convenience of access, and safety from  
flood, and other dangers,
2. To reduce or prevent congestion in the  
public streets,
3. To facilitate the creation of a convenient,  
attractive, and harmonious community,
4. To facilitate the provision of adequate  
police and fire protection, disaster  
evacuation, civic defense, transportation,  
water sewage, flood protection, schools,  
parks, forests, playgrounds, recreational  
facilities, airports, and other public  
requirements, (2/23/94)
5. To protect against destruction of or  
encroachment upon historical areas,
6. To protect against one or more of the  
following: overcrowding of land, undue  
density of population in relation to the  
community facilities existing or available,  
obstruction of light and air, and danger  
and congestion in travel and transportation,  
or loss of life, health, or property from fire  
flood, panic or other dangers, (2/23/94)
7. To encourage economic development  
activities that provide desirable employment and  
enlarge the tax base,
8. To provide for the preservation of

agricultural and forestal lands and other lands of significance for the protection of the natural environment, (2/23/94)

9. To protect approach slopes and other safety areas of licensed airports, including United States government and military air facilities, and (2/23/94)
10. To Promote the creation and preservation of affordable housing suitable for meeting the current and future needs of Hampton as well as a reasonable proportion of the current and future needs of the Hampton Roads Planning District. (2/23/94)

WHEREAS, by said Title 15.1, Chapter 11, Article 8, Code of Virginia, 1950, as amended, such Zoning Districts, boundaries, regulations and restrictions may be from time to time amended, supplemented, changed, modified or repealed, and

WHEREAS, for the promotion of health, safety, morals, comfort, prosperity, or general welfare and the public, and in order to carry out the purpose of Title 15.1, Chapter 11, Article 8, Code of Virginia, 1950, as amended, this Ordinance is adopted.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hampton, Virginia.